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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,687	06/29/2001	Young Ho Yim	K-298	6279

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,687

Applicant(s)

YIM ET AL.

Examiner

CUONG H. NGUYEN

Art Unit

3661

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

1. This Office Action is the answer to the election received at USPTO on 10/28/2004.
2. The applicants elect claims 8-41 of Group for prosecution.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-24, 27, 29-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA (Applicants Amitted Prior Art) in view of Contreras et al. (US Pat. 6,823,299).

In the background and Figs.1-3, applicants (AAPA) admit that most of the claimed features are old and well-known, except simulation of a 3-D product (see the specification, the background para. [003-005], para. [009-013]). Please note that even not directly admit several features of pending claims, they are obvious from background activities.

In para.[008], the applicants states that the invention is not suitable between B2B; the examiner respectfully submits that this situation rarely happens because buying a large volume of products would require very careful

selections and researches, and must be carefully reviewed and approved by higher level of managements (e.g., CEO) before making any decision of a purchasing contract. Similarly, it is obvious to apply for B2C cases because an individual MUST spend PERSONAL MONEY and EFFORTS before coming up a decision for purchasing/contracting; therefore, it is not often if a wrong decision for purchasing is made. Furthermore, Internet connections have been made all communication among service providers, enterprises, and buyers efficiently exchange information related to their inquiries.

Therefore, the examiner respectfully submits that the missing 3-D product simulation are suggested by Contreras et al. (see US Pat. 6,823,299) and this patent provides a motivation why it would be combinable to what already admitted from prior art.

A. Re. to claims 8, 17-19, 23-24, 27, 29-34, and 37-38:

AAPA suggest a method for operating a product selling system on multi-tasking computers, comprising steps of:

- (a) a client making access to a web server of a product selling enterprise by using a client's own network;
- (b) the client searching a required product;

AAPA do not suggest:

- (c) modeling a 3D image of a searched product and displaying on the web page;

(d) making a 3D installation simulation of the product to a part the product is to be installed on the web page upon reception of request from the client.

However, Contreras et al. suggest about 3-D modeling, and doing simulations with that model (see Contreras et al., the abstract, and the summary).

(e) receiving various information required for selling the product if the client intends to buy the product, returning to any one prior step if the client cancels the intention to buy the product, and repeating the foregoing steps as far as there is no particular expression of intention from the client.

The examiner respectfully submits that what claimed in step (e) is obviously suggested in a business cycle doing an old and well-known if-then-else decision in case a customer changes his mind.

It would have been obvious to one with ordinary skill in the art at the time of invention to implement Contreras's suggestion in a business activity taught by AAPA because this would provide a visual representation for layers of reviews and approval, save money and efforts of a buyer; and also avoid returning a product(s) to a seller(s).

B. Re. to claims 9-11, 13: AAPA and Contreras et al.

suggest a method for operating a product selling system, comprising the steps of:

- verify information on products.
- input specification on a product for searching;
- input environment/structures where an air-conditioner/a product is installed (the examiner respectfully submits that AutoCad has this feature).

Furthermore, these information are non-functional descriptive material (e.g., information may be various/specific things) that do not change the main claimed activity of inputting information (for the claimed method).

C. Re. to claims 12, 14-16, 20-22, 39: AAPA and Contreras et al. suggest a method for operating a product selling system.

The examiner respectfully submits that because the claims use the limitations of "any one of ..." or "at least one of ..." only one feature is sufficient for a rejection.

- product information includes a floor number (e.g., a bigger room in a building needs more lights).

- modeling and simulation of how many lighting fixtures/fuses are necessary for a room, these features are old and well-known.

... claimed information includes a kind of product, a number of the products, delivery due date of the product (please note that "information" here are non-functional descriptive material - although claimed information may be

different from prior art but they do not change the method of providing even "general" information).

Please note also that "and the like" is indefinite because a limitation for "the like" is not defined in this claim yet.

4. Claims 25-26, 28, 35-36, and 40-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Contreras et al. (US Pat. 6,823,299), and further in view of the Official Notice.

The rationales and references for rejection of claim 8 are incorporated.

The Official Notices are taken here that these features are old and well-known in computer applications:

- using a drag and drop technique
- using a selective zoom function
- controlling an image by using various input devices, such as a mouse or a keyboard.

- e-mail communications are well-known.
- converting a drawing into data for transmission is old and well-known.

- applying a discount ratio proportional to a total money involved (e.g., when a Sears customer applies for a Sears credit card, then an amount proportional to a total purchase for using it the first time is discounted - usually 10% discounted).

It would have been obvious to one with ordinary skill in the art at the time of invention to implement Contreras and the above Official Notices in a business activity taught by AAPA because these are available manipulating techniques on objects to provide a visual representation to involved viewers.

Conclusion

5. Claims 8-41 are not patentable.

6. The examiner presents additional prior art that show obviousness of the term "hybrid", hybrid images/pictures have been widely used to show same picture/image of 2-Dimension and 3-dimension simultaneously (see Bill Fane "IronCAD 2.0". A designer only need to include 2 views of a picture (both 2-D image, and 3-D image) in a database for a customer to view (e.g., a 2-D image for a Lexus 2001, model 300RX; and a 3-D image for that same car on a web page); therefore, putting together 2-D and 3-D elements of the same image on one picture is not inventive.

7. The examiner submits that these articles discussed about hybrid images:

- Casasent, D., and Tescher, A., Eds., "Hybrid Image and Signal Processing II", Proc. SPIE Technical Symposium, April 1990, Orlando Fla. 1297 (1990).
- Debevec et al., « Modeling and Rendering Architecture from Photographs : A hybrid geometry- and Image-based approach », Technical Report UCB//CSD-96-893, Jan. 1996.

8. These following references are also considered pertinent to claimed subject matter:

- Charles (US Pat. 6,449,103 - 9/10/2002 with class. 359/725) discusses about a hybrid image was produced by an optical system.
- Burke, (US Pat.5,848,399 filed on 7/25/1996, published on 12/08/1998 - US class. 705/27) about a computer system for allowing a consumer to purchase packaged goods at home.
- Thies et al., (US Pat. 5,206,804 filed 5/1990, pub. on 4/27/1993) about footwear visual image cataloging & sizing.
- Bill Fane, IronCAD 2.0 provides 3D modeling power: 3D modeling and animation are the strong suits of Visionary Design System's MCAD product, CADalyst, 8/1999 (from <http://www.findarticles.com>, 8 pages).
- Bill Schweber, Prototyping tools transform design dreams into reality, EDN, 5/13/1999 (from <http://www.findarticles.com>, 10 pages).
- Tony Hotchkiss, Customization options: Make AutoCAD 2000 do what you want, CADalyst, 7/2000 (from <http://www.findarticles.com>, 7 pages).
- Robert Martin, Solid modeler delivers clever productivity features, Machine Design, 8/20/1998, (from <http://www.findarticles.com>, 3 pages).
- Katherine Tyrka, Part libraries on the Web: 2D and 3D manufacturers' standard parts can be downloaded in a variety

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of native or neutral formats from the Web, or through complete libraries on CDs, saving time and effort to complete assembly design, Design News, 1/07/2002, (from <http://www.findarticles.com>, 4 pages).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 703-305-4553. The examiner can normally be reached on 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone number for the organization where this application is assigned is 703-305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cuong H. Nguyen


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661